

Inventor(s): SMITH et al.

Appl. No.: 09

Series Code ↑

761,579

Serial No. ↑

Filed: January 18, 2001

Hon. Commissioner of Patents

Washington, D.C. 20231

Group Art Unit 1645

Examiner: To be assigned

Atty. Dkt. P 0276521 Z70638/US

M#

Appln. Title: METHODS

Client Ref.



SEP 26 2001

TECH CENTER 1600/2900

Sir:

INFORMATION DISCLOSURE STATEMENT

Date: September 25, 2001

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm	
2. Total Effective Claims				10	**minus	20	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims				4	***minus	4	0	x \$80/\$40 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)							add	+ \$270/\$135 =	+ \$0	104/204
5. Original due Date:				<input checked="" type="checkbox"/> NONE						
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)	\$110/\$55 =					115/215
				(2 mos)	\$390/\$195 =		+ \$0			116/216
				(3 mos)	\$890/\$445 =					117/217
				(Usable only for ≤ 2mo.OA --- 4 mos)	\$1390/\$695=					118/218
				(Usable only for 30 day/1mo.OA --- 5 mos)	\$1890/\$945=					128/228
7. Enter any previous extension fee paid since above original due date and subtract							- \$0			
8.				Extension Fee Attached			+ \$0			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee							+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c),				add			+ \$180	+ \$0		126
or if Rule 97(d) Request				add			+ \$180			126
11. After-Final Request Fee per rules 129(a) and 17(r)							+ \$710/355	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b)							x \$710/355 ea	+ \$0		149/249
13. Request for Continued Examination (RCE)							+ \$710/355	+ \$0		1179/1279
14. Petition fee for								+ \$0		
15.				TOTAL FEE ENCLOSED =			\$0			

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".
 17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.
 18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 009901 0276521
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT **does not authorize** charge of the **issue fee** until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Donald J. Bird

Sig:

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Atty/Sec: DJB/mk

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re PATENT APPLICATION of:

Group Art Unit: 1645

SEP 26 2001

SMITH et al.

Examiner: To Be Assigned

TECH CENTER 1600/2900

Appln. No.: 09/761,579



Filed: January 18, 2001

FOR: METHODS

Date: September 25, 2001

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Attached is a Form PTO-1449 listing the enclosed documents and an International Search Report dated May 30, 2001 citing the enclosed documents. See the degree of relevancy and the particular passages cited for each document in the Search Report.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no certification under 37 CFR §1.97(e) or fee is under 37 CFR §1.17(p) is required.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to fully comply.

Should a first Action on the merits have been issued on the same day as or before this IDS is filed, please accept this IDS under Rule 97(c) and charge the requisite fee to our Deposit Account under Order No. 009901/0276521 and proceed to consider this IDS.


Consideration of the foregoing and enclosures plus the return of a copy of the herewith filed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully Submitted,

PILLSBURY WINTHROP LLP

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DJB:amx

By:



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Datum/Date
30.05.01

Zeichen/Ref./Réf. Z70638/EP	Anmeldung Nr./Application No./Demande n°./Patent Nr./Patent No./Brevet n°. 01300272.0-2116-
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire AstraZeneca AB	

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

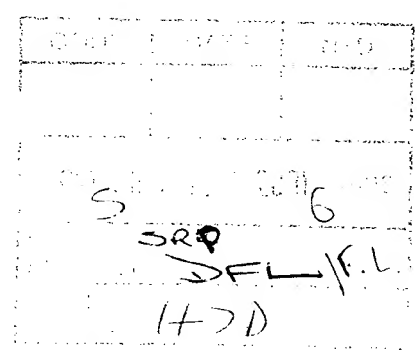
☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract ☐ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: **NONE**



REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
✓ X	TAKAKUBO FUMIE ET AL: "A novel mutation and polymorphism in the X chromosome located pyruvate dehydrogenase E1-alpha gene (PDHA1)." HUMAN MOLECULAR GENETICS, vol. 2, no. 11, 1993, pages 1961-1962, XP002166982 ISSN: 0964-6906	1,2,5-7	C12Q1/68
Y	* the whole document * ---	8-10	
✓ X	HARRIS EUGENE E ET AL: "X chromosome evidence for ancient human histories." PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES, vol. 96, no. 6, 16 March 1999 (1999-03-16), pages 3320-3324, XP002166983 March 16, 1999 ISSN: 0027-8424	4	
Y	* the whole document * & DATABASE EMBL 'Online! AC/ID: AF125077, AF125060, AF125088, 7 April 1999 (1999-04-07) * abstract *	1-3,5-10	TECHNICAL FIELDS SEARCHED (Int.Cl.7) C12Q
✓ X	KOIKE K ET AL: "CHARACTERIZATION AND NUCLEOTIDE SEQUENCE OF THE GENE ENCODING THE HUMAN PYRUVATE DEHYDROGENASE ALPHA-SUBUNIT" GENE (AMSTERDAM), vol. 93, no. 2, 1990, pages 307-311, XP002166984 ISSN: 0378-1119	4	
Y	* the whole document * ---	1-3,5-10	
		--- -/--	
The present search report has been drawn up for all claims			
3	Place of search THE HAGUE	Date of completion of the search 10 May 2001	Examiner Hagenmaier, S
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

EPO FORM 1503 03 82 (P04C01)



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
✓ Y ✓	DATABASE EMBL 'Online! AC: L13318, April 1993 (1993-04) DAHL ET AL.: "Human pyruvate dehydrogenase E1-alpha subunit (PDHA1) mRNA, complete cds." XP002166988 * abstract *	1,2,5-10	
✓ Y	HO L ET AL: "CHARACTERIZATION OF COMPLEMENTARY DNA ENCODING HUMAN PYRUVATE DEHYDROGENASE ALPHA SUBUNIT" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES, vol. 86, no. 14, 1989, pages 5330-5334, XP002166985 1989 ISSN: 0027-8424 * the whole document *	1,2,5-10	
✓ D,Y	SCHAFER A J ET AL: "DNA VARIATION AND THE FUTURE OF HUMAN GENETICS" NATURE BIOTECHNOLOGY, NATURE PUBLISHING, US, vol. 16, January 1998 (1998-01), pages 33-39, XP000890128 ISSN: 1087-0156 * the whole document *	1-3,5-10	
✓ D,Y	WO 97 40462 A (SPECTRA BIOMEDICAL INC) 30 October 1997 (1997-10-30) * the whole document *	1-3,5-10	
The present search report has been drawn up for all claims			
Place of search THE HAGUE		Date of completion of the search 10 May 2001	Examiner Hagenmaier, S
<div>CATEGORY OF CITED DOCUMENTS</div> <div>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</div> <div>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document</div>			

EPO FORM 1503 03/82 (P04C01)



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
✓ D,Y	NOLLAU ET AL: "Methods for detection of point mutations" CLINICAL CHEMISTRY,US,AMERICAN ASSOCIATION FOR CLINICAL CHEMISTRY. WINSTON, vol. 43, no. 7, 1997, pages 1114-1128, XP002109368 ISSN: 0009-9147 * the whole document *	1-3,5-10	
✓ Y	WO 99 40222 A (VARIAGENICS INC) 12 August 1999 (1999-08-12) * the whole document *	1-3,5-10	
✓ A	DAHL H -H M ET AL: "Mutations and polymorphisms in the pyruvate dehydrogenase E1-alpha gene." HUMAN MUTATION, vol. 1, no. 2, 1992, pages 97-102, XP000993406 ISSN: 1059-7794 * the whole document *		
✓ A	PATEL MULCHAND S ET AL: "Mammalian alpha-keto acid dehydrogenase complexes: Gene regulation and genetic defects." FASEB JOURNAL, vol. 9, no. 12, 1995, pages 1164-1172, XP002167026 ISSN: 0892-6638 * the whole document *		
The present search report has been drawn up for all claims			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
3	Place of search THE HAGUE	Date of completion of the search 10 May 2001	Examiner Hagenmaier, S
<div>CATEGORY OF CITED DOCUMENTS</div> <div><div>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</div><div>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document</div></div>			

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 01 30 0272

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

10-05-2001

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9740462 A	30-10-1997	AU 2734197 A	12-11-1997
		EP 0897567 A	24-02-1999
		JP 2000508912 T	18-07-2000
WO 9940222 A	12-08-1999	AU 2482899 A	23-08-1999
		EP 1053352 A	22-11-2000
		US 6110684 A	29-08-2000